

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLAUDIA COLLITON,
Plaintiff, pro se

— CV —

COMPLAINT

— against —

DRAFT KINGS INC,
Defendant.

Jury Trial Is
Requested

I. BASIS FOR JURISDICTION
IS DIVERSITY OF CITIZENSHIP

A. Plaintiff is a resident of
New York.

B. Defendant, with headquarters
and nerve center in Boston,
is a citizen of Massachusetts.

II. PARTIES

A. PLAINTIFF

Claudia Colliton
18K White Gate Drive
Wappingers Falls, NY 12590
Dutchess County
C-harris10@HVCC.EDU
(845) 297-8735

B. DEFENDANT

DRAFT KINGS INC.
222 Berkeley Street
Boston, MA 02116

III. STATEMENT OF CLAIM

A. BACKGROUND

1. Place of Occurrence:
Dutchess County, NY
2. Dates of Occurrence:
April 17, 2022 - July 7, 2022

B. FACTS: Upon information and belief:

1. Plaintiff opened a Sports Book account with Defendant on April 17, 2022 (the "Account").
2. On or about June 5 or 7, 2022, Defendant blocked the Account.
3. Defendant knowingly falsely alleged that Plaintiff had another account with Defendant, in addition to the Account.
4. Plaintiff at no time had any account with Defendant other than the Account.

5. On June 7, 2022, Defendant advised Plaintiff that she had to upload a photo of herself to restore her Account.

6. Plaintiff so sent a photo of herself to Defendant on June 7, 2022.

7. Defendant ultimately admitted that Plaintiff only had a single account, and subsequently restored the Account.

8. Defendant now knew that Plaintiff was an African American woman, and began to treat her with utter contempt, in a clearly racially discriminatory manner. Please consider:

a. Defendant stated that while white male clients might be compensated by Defendant for making such a false accusation with several hundreds of dollars worth of free bets, Defendant would provide Plaintiff with a single \$20 free bet, since Plaintiff was a Black Woman.

b. Defendant subsequently belittled Plaintiff.

c. Defendant continuously responded to Plaintiff with hostility on all future occasions.

d. Ultimately, on July 6, 2022, Defendant froze, then closed Plaintiff's account.

e. Plaintiff never violated any of Defendant's terms or rules of use.

f. Defendant asserted that the Account was again frozen and then closed because Plaintiff had two accounts.

g. Defendant at all times knew that Plaintiff only had one account - the Account.

h. Defendant, through multiple employees, treated Plaintiff with utter contempt and racial discrimination in disclosing their actions.

i. On both occasions when the Account was frozen, Plaintiff was either trying to deposit funds, or had funds in the Account.

j. By fraudulently so freezing the Account each time, Defendant prevented Plaintiff from making wagers.

k. Plaintiff routinely made bets at odds of 500, 800, 1000 to 1 or more, meaning she could win \$1,000 for a \$1 bet.

l. Plaintiff routinely WON bets at very high odds.

m. On both freeze occasions, Plaintiff could have won substantial amounts but for the freezing of the Account.

9. By contractual requirement, implied covenant of good faith dealing, or merely the rule that companies treat customers reasonably, Defendant prevented Plaintiff from using her Account and winning substantial money, in violation of such common sense behavioral requirements.

C. INJURIES

For unlawful and racially discriminatory reasons, Defendant prevented Plaintiff from utilizing her Account. Consequently, Plaintiff was unable to win considerable sums. Further, Plaintiff suffered from the racial discrimination - emotionally and psychologically.

IV. RELIEF

The amount a Jury reasonably decides Plaintiff should receive to place her in the position she would have been in, had Defendant not acted so wrongly.

V. PLAINTIFF'S CERTIFICATION

I certify to the best of my knowledge, information and belief (1) this Complaint is not improper, (2) the claims are supported by Law, (3) the factual allegations are supported, and (4) this Complaint otherwise complies with the applicable requirements of the Fed R Civ Proc.

P10

VI, I do NOT consent to
receive documents electronically.

DATED: July 12, 2022

Claudia Colliton
PLAINTIFF

CLAUDIA COLLITON
18K WHITE GATE DR
WAPPINGERS, NY 12590
(845) 297-8735

through her Husband,
James Colliton a/n/f, with
identical contact information

DATED: 7/12/2022

James Colliton
James Colliton a/n/f

C COLLITON
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